

### *16 House Members Join in Call for Additional Steps*

*Washington, DC* –Congressman Maurice Hinchey (D-NY) today lauded the announcement of new drilling air pollution rules and called for tighter safeguards to protect public health. The new proposed rules announced today by the Environmental Protection Agency (EPA) update federal limits on air pollution caused by oil and gas drilling, a growing problem throughout the country. The rapid expansion of shale gas drilling associated with hydraulic fracturing, or "fracking," has been accompanied by severe regional air quality problems and growing air related health concerns.

"I applaud the EPA for making the right decision," said Hinchey. "Air pollution that results from gas drilling should not be exempt from baseline standards designed to protect public health and the environment. Families in New York and throughout the country shouldn't have to worry that their kids are breathing in toxic air polluted by a neighboring frack drilling operation. This is one step of many that must be taken to help curtail the risks associated with hydraulic fracturing."

Hinchey, who has consistently worked to eliminate exemptions from environmental laws enjoyed by the hydraulic fracturing joined Congressman Jared Polis (D-CO), and 14 other U.S. House members in calling on the EPA to add hydrogen sulfide, known popularly as "poison gas," to the list of hazardous air pollutants within the Clean Air Act. This move is being considered by the EPA, but was not included in this proposal. Earlier this year, Hinchey joined Polis in introducing the BREATHE Act, (Bringing Reductions to Energy's Airborne Toxic Health Effects Act, H.R. 1204), which reverses gas drilling exemptions from the Clean Air Act, and adds hydrogen sulfide as a hazardous air pollutant.

Hinchey is a leader in the effort to protect drinking water and the environment from the risks of hydraulic fracturing. He is a co-author of the FRAC Act, which would mandate public disclosure of chemicals used in frack fluid and allow the EPA to regulate fracking activities under the Safe Drinking Water Act. The congressman also authored the appropriations language that led to the current U.S. Environmental Protection Agency study on hydraulic fracturing.

The full text of the letter sent by the 16 house members to EPA Administrator Lisa Jackson follows:

July 26, 2011

The Honorable Lisa Jackson  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460

Dear Administrator Jackson:

As supporters of H.R. 1204, the BREATHE (Bringing Reductions to Energy's Airborne Toxic Health Effects) Act, we agree that the EPA should take what administrative action it can to address growing air quality problems and health concerns related to increases in drilling across the country. Because of this, we hope that hydrogen sulfide will be regulated as a hazardous air pollutant under subsection 112(b)(1), and that EPA should take steps to protect regional air quality in areas where drilling has been expanding rapidly.

We are heartened to hear your recent comments at the Aspen Ideas Festival, and proposed rules acknowledging the existing and growing potential for serious air quality problems, and discussion of EPA action to address regional air quality problems and smog associated with expanded drilling. From small towns in the West to major metropolitan areas along the East Coast, Americans from all walks of life stand to gain greatly from addressing drilling associated air pollution.

The EPA has been petitioned to list hydrogen sulfide as a hazardous air pollutant, but has not yet responded to that petition. We respectfully urge EPA, in light of the BREATHE Act and the recent petition, to add hydrogen sulfide to the list of hazardous air pollutants under Section 112 of the Clean Air Act. In so doing, EPA would dramatically improve air quality and prevent the needless exposure of Americans to this highly toxic gas.

Hydrogen sulfide was originally included in the 1990 Amendments to the Clean Air Act, but was removed in 1991. In 1993, an EPA study outlined the serious public health dangers of H<sub>2</sub>S, but

analyzed potential impacts based on the drilling practices of that time. Because of the rapid expansion of shale gas drilling, and its proximity to populated areas, H<sub>2</sub>S deserves a fresh look. Hydrogen sulfide, known as "poison gas" for its lethal properties, is a potentially fatal neurotoxin that inhibits cellular respiration and can cause severe neurological damage. Natural gas production, commonly associated with hydrogen sulfide emissions, is up 20% over the past six years, with a growing need to diversify our nation's energy sources and the expansion of shale gas drilling throughout the country.

EPA and other public safety agencies have long recognized that the public needs protection from this dangerous gas. Hydrogen sulfide is listed as a toxic water pollutant under the Clean Water Act, as a hazardous waste under the Resource Conservation and Recovery Act, as a highly hazardous chemical under the Occupational Safety and Health Act, as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act, and as an extremely hazardous substance under the Emergency Planning and Community Right to Know Act. Yet, incredibly, hydrogen sulfide is not controlled as a hazardous air pollutant under the Clean Air Act, leaving many communities at risk. This failure is particularly concerning because EPA, in a 2007 Office of Air and Radiation briefing, conservatively estimated that more than 56,700 tons of hydrogen sulfide are emitted annually, putting hydrogen sulfide among the top six air toxics to which the public is exposed.

We appreciate the attention your agency is giving to public health issues accompanying the expansion of shale gas drilling, and respectfully request that EPA add hydrogen sulfide to the list of hazardous air pollutants. Thank you for your consideration.

Sincerely,

Rep. Jared Polis  
Rep. Maurice Hinchey  
Rep. Rush Holt  
Rep. Gerry Connolly  
Rep. Raul Grijalva  
Rep. Mike Honda  
Rep. Dale Kildee  
Rep. Zoe Lofgren  
Rep. Carolyn Maloney  
Rep. Jim Moran  
Rep. Jim McDermott  
Rep. Paul Tonko

## **Hinchey Applauds EPA on Proposed Rules to Limit Shale Gas Drilling Air Pollution**

Friday, 29 July 2011 11:09

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Rep. Jesse Jackson Jr.

Rep. John Sarbanes

Rep. Steve Rothman

Rep. Mike Quigley